

FILED

MAY 27 2003

JUDGE MARINA CORODEMUS

PORZIO, BROMBERG & NEWMAN, P.C.

100 Southgate Parkway
Morristown, NJ 07962-1997
(973) 538-4006

Attorneys for Defendant Wyeth (formerly known as American Home Products Corporation), for itself and its unincorporated divisions Wyeth Consumer Healthcare (formerly known as Whitehall-Robins Healthcare Division) and Wyeth Pharmaceuticals (formerly known as Wyeth-Ayerst Laboratories Division), and for Wyeth Pharmaceuticals Inc. (formerly known as Wyeth-Ayerst Pharmaceuticals Inc.) and Wyeth-Ayerst International Inc.

CAROLYN LILLY and CHARLES LILLY,

Plaintiffs,

v.

AMERICAN HOME PRODUCTS
CORPORATION, WHITEHALL-ROBINS
HEALTHCARE Division of AMERICAN
HOME PRODUCTS CORPORATION,
WYETH-AYERST PHARMACEUTICALS
INC., WYETH-AYERST INTERNATIONAL
INC., WYETH-AYERST LABORATORIES
Division of AMERICAN HOME PRODUCTS
CORPORATION,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. MID-L-7629-02 MT

Case Code No. 264

CIVIL ACTION

**ORDER FOR COMMISSION AND COMMISSION
AUTHORIZING THE ISSUANCE OF AN OUT-
OF-STATE SUBPOENA *AD TESTIFICANDUM*
AND *DUCES TECUM***

THIS MATTER having been opened to the Court upon application by Porzio, Bromberg & Newman, P.C., attorneys for defendant Wyeth, pursuant to Rule 4:11-5 for entry of an Order compelling the Custodian of Records of Womack Army Hospital to produce records and documents regarding any and all medical care and treatment to Carolyn Lilly, and to provide sworn testimony at deposition regarding any and all medical care and treatment to Carolyn Lilly, and for good cause having been shown for the entry of issuance of a Commission authorizing the issuance of a deposition subpoena and the production of documents in this matter;

IT IS on this 27 day of May, 2003,

ORDERED that:

1. The application to issue a Commission for the issuance of a subpoena compelling deposition testimony and the production of documents by Custodian of Records of Womack Army Hospital regarding any and all medical care and treatment to Carolyn Lilly is hereby granted; and the following Commission is hereby issued:

COMMISSION

Defendant Wyeth having demonstrated the need for certain information and documents to be produced in connection with the matter herein and requiring a subpoena from the Courts of the State of North Carolina, for their production, the Superior Court of New Jersey, through the undersigned Judge, hereby respectfully commissions and solicits the assistance of the Courts of the State of North Carolina, or such subordinate office as it may designate, to issue with due diligence to defendant Wyeth Subpoenas *Duces Tecum* and *Ad Testificandum* in a form acceptable to the Court Rules of the State of North Carolina and in accordance with the customs and traditions of the Courts of the State of North Carolina, compelling the following individual(s) to produce documents and things and give testimony:

Custodian of Records of Womack Army Hospital

2. A copy of the Order shall be served upon all counsel of record in this action within seven days from the date of entry.



Marina Corodemus, J.S.C.